

airplane while carrying passengers during flight, nor may any person manipulate the controls while carrying passengers during flight, unless that person is a qualified pilot of the certificate holder operating that airplane.

§ 125.315 Admission to flight deck.

(a) No person may admit any person to the flight deck of an airplane unless the person being admitted is—

- (1) A crewmember;
- (2) An FAA inspector or an authorized representative of the National Transportation Safety Board who is performing official duties; or
- (3) Any person who has the permission of the pilot in command.

(b) No person may admit any person to the flight deck unless there is a seat available for the use of that person in the passenger compartment, except—

- (1) An FAA inspector or an authorized representative of the Administrator or National Transportation Safety Board who is checking or observing flight operations; or
- (2) A certificated airman employed by the certificate holder whose duties require an airman certificate.

§ 125.317 Inspector's credentials: Admission to pilots' compartment: Forward observer's seat.

(a) Whenever, in performing the duties of conducting an inspection, an FAA inspector presents an Aviation Safety Inspector credential, FAA Form 110A, to the pilot in command of an airplane operated by the certificate holder, the inspector must be given free and uninterrupted access to the pilot compartment of that airplane. However, this paragraph does not limit the emergency authority of the pilot in command to exclude any person from the pilot compartment in the interest of safety.

(b) A forward observer's seat on the flight deck, or forward passenger seat with headset or speaker, must be provided for use by the Administrator while conducting en route inspections. The suitability of the location of the seat and the headset or speaker for use in conducting en route inspections is determined by the Administrator.

§ 125.319 Emergencies.

(a) In an emergency situation that requires immediate decision and action, the pilot in command may take any action considered necessary under the circumstances. In such a case, the pilot in command may deviate from prescribed operations, procedures and methods, weather minimums, and this chapter, to the extent required in the interests of safety.

(b) In an emergency situation arising during flight that requires immediate decision and action by appropriate management personnel in the case of operations conducted with a flight following service and which is known to them, those personnel shall advise the pilot in command of the emergency, shall ascertain the decision of the pilot in command, and shall have the decision recorded. If they cannot communicate with the pilot, they shall declare an emergency and take any action that they consider necessary under the circumstances.

(c) Whenever emergency authority is exercised, the pilot in command or the appropriate management personnel shall keep the appropriate ground radio station fully informed of the progress of the flight. The person declaring the emergency shall send a written report of any deviation, through the operator's director of operations, to the Administrator within 10 days, exclusive of Saturdays, Sundays, and Federal holidays, after the flight is completed or, in the case of operations outside the United States, upon return to the home base.

§ 125.321 Reporting potentially hazardous meteorological conditions and irregularities of ground and navigation facilities.

Whenever the pilot in command encounters a meteorological condition or an irregularity in a ground or navigational facility in flight, the knowledge of which the pilot in command considers essential to the safety of other flights, the pilot in command shall notify an appropriate ground station as soon as practicable.